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## **Submission: NZPork's Submission on the Consumers' Right to Know (Country of Origin Labelling) Bill to the Primary Production Select Committee**

### **1. Summary**

This submission is from NZPork on behalf of New Zealand's commercial pig farmers.

NZPork fully supports the Consumers' Right to Know (Country of Origin Labelling) Bill as presented as it provides consumers with information they desire in order to make informed purchasing decisions on single component foods – information about food quality and suitability, food taste, environmental effects, health and welfare of animals, and farming practices.

While much of New Zealand's pork for retail sale is labelled as "New Zealand Pork" consumers often wrongly assume that pork with no country of origin labelling (CoOL) has still been born and raised in New Zealand. This is particularly so for 'fresh' cuts of meat where consumers often assume that fresh cuts could not have been imported from another country (when in fact the cuts may have come from imported pig meat that has been at least partially frozen and thawed and cut up for sale as 'fresh' cuts, and presented for retail sale alongside fresh New Zealand pork).

In particular, NZPork strongly supports the application of the Bill to:

- "fresh and frozen meat, whole or cut" in cl 8(b), as this will include fresh and frozen carcasses and cuts of pork;
- "meat that has been preserved by curing, drying, smoking, canning, or by other means" in cl 8(b), as this will include cured pork products such as bacon, prosciutto, pancetta and salami;
- "single component foods" which are defined in cl 4 to include pig meat, although this "may also contain water, sugar or its substitutes, salt or other ingredients used in preserving, colouring or flavouring" and so will include hams and bacon.

Supermarkets/ wholesalers/ processors and retailers will be able to incorporate the CoOL requirements without too much difficulty as they will know the origin of imported pig meat and be able to label their products for retail sale accordingly. However, given this Bill is not accompanied by a regulatory impact analysis the Committee may wish to obtain such an analysis of the benefits and costs of the proposed CoOL requirements.

NZPork supports the application of the enforcement provisions of the Food Act 2014 to the CoOL requirements in the Bill.

All of New Zealand's top 10 trading partners have some form of CoOL, which in most countries applies to more than just single component foods, and includes processed and packaged foods.

NZPork's view is that the Bill is consistent with New Zealand's WTO obligations and there is no basis for suggesting that the Bill could result in a successful complaint by another WTO member about New Zealand's proposed CoOL requirements. The US CoOL requirements for beef and pork that were found by the WTO Panels to be a breach of the GATT 1994 were particular to the import of *livestock* into the US and the US labelling rules, and could not happen in NZ.

This submission explains our reasons for fully supporting the Bill.

NZPork wishes to speak to its submission.

## **2. The consumer perspective**

The purpose of this Bill is to provide consumers with information specifying the country of origin (CoO) for single component foods, either on labels or at point of purchase so that they can make an informed purchasing decision. Such information is already required for clothing and footwear in New Zealand, but to date has not been required for food.

Yet there is clear evidence that consumers do require such information for food. For example, a 2017 survey illustrates consumers' desire CoOL for fruit and vegetables (Consumer/ HortNZ research, 2017). Refer <http://www.hortnz.co.nz/news-events-and-media/media-releases/new-zealanders-want-country-of-origin-labelling-on-fruit-and-veges>.

As far back as 2007, consumers made very clear how important CoOL information was in making their purchase decision in regard to the source of peanuts used in Sanitarium peanut butter [http://www.nzherald.co.nz/food/news/article.cfm?c\\_id=206&objectid=10456897](http://www.nzherald.co.nz/food/news/article.cfm?c_id=206&objectid=10456897).

Similarly for pig meat, research conducted by NZPork in 2009 illustrated a very strong declared preference for New Zealand produced pork versus imported product, with 77% of a nation-wide omnibus survey (a telephone survey of a nationally representative sample of 750 New Zealanders 18 years of age and over) stating they would rather buy New Zealand produced pork, bacon and ham, 1% would rather buy imported, 11% that it makes no difference to them, with 3% unsure. Of note in the same study there was 50% declared awareness that a high proportion of pork products consumed in New Zealand was imported.

Over the last 15 years the amount of imported pig meat consumed by New Zealanders has increased very significantly to now account for around 58% of New Zealanders' consumption. Furthermore, this pig meat has come from a very wide range of countries. The data in Appendix 1 illustrates these points.

In 2016 NZPork commissioned a research programme, including both qualitative and quantitative stages to explore the issue of CoO information for pork and pig meat in more depth. Qualitatively, the research illustrated that overall there is a strong degree of interest around what we are eating, where it comes from and how it is produced. People are looking for trusted shortcuts and 'New Zealand origin' is one such short cut. 'Pure' and 'green grass' are used as words to describe New Zealand as a brand. Importantly because New Zealanders 'know' farming there is a feeling that animals will be cared for here better than in other countries. People like the idea of supporting local suppliers and in an ideal world, everything else being equal, would only buy New Zealand produce. But of course that is not to say that even with clear CoO information this preference would always transfer into actual buying behaviour in store because of, for example, price differentials.

However, without clear mandatory CoO information people may be under the impression that they are buying New Zealand pork because the country of origin is disguised. Because they would prefer to eat New Zealand pork, they may even let themselves believe that they are if the origin is not required to be explicitly clear on the packet.

The 2016 qualitative research also indicated that consumers do not always trust packaging claims. Transparency in packaging claims and ingredients is desired but seen as hard to achieve. There is a perception that what is said on the front of the packets is not always true to what is on the back. People are sceptical of 'marketing talk'. Country of origin is currently a very murky area with people distrusting claims of being "made in New Zealand," due to the use of imported products that may be used as inputs.

At times consumers indicate they feel conned into eating imported brands of pork and pig meat due to being misled by claims such as "MADE IN NEW ZEALAND from local and imported ingredients."

Quantitatively (via an on-line survey of 300 broadly nationally representative household shoppers who cook or eat pork at home), our research established that household shoppers view the benefits of buying New Zealand pork as including all the following (in order):

- *Food quality regulations are of a high standard*
- *Meat tastes better than imported*
- *Is known for its clean and green reputation*
- *Farmed animals are healthier*
- *Grown pork is better than imported*
- *Has better farming practices than other countries*

In essence, CoOL identifying New Zealand origin provides a 'short cut' at point of purchase for consumers in their busy lives to make an informed purchase decision.

### **Elements where CoO can be used as a 'short cut' to communicate the required benefits of New Zealand pork**

- ***Food quality regulations are of a high standard***

The 2016 qualitative research highlighted that one of the key things that sets New Zealand apart from other countries in consumers' view is minimum standards put in place by the government. Such standards give people reassurance that there are at least some benchmarks producers in New Zealand are required to meet, in relation to quality standards.

- ***Meat tastes better than imported***
- ***Grown pork is better than imported***

Taste is obviously an important decision criteria in selecting food. Shoppers' view that locally (New Zealand) produced pork tastes better than imported may be due to New Zealand product being fresh and not pre-frozen, as imported pork is very likely to have been.

Supporting this consumer feedback is the fact that there is no longer a requirement for meat presented for retail sale in New Zealand to be labelled as pre-frozen, or thawed meat. (There used to be a specific requirement in New Zealand to label pre-frozen meat to consumers.)

- ***Is known for its clean and green reputation***
- ***Farmed animals are healthier***

The 2016 qualitative research highlighted people's concerns around the provenance of food, and desire for transparency around production methods and government standards.

New Zealand's pig herd has a very high health status internationally – far higher than many of the countries from which New Zealand imports pig meat.

As far back as 2007, research conducted by NZPork (a nation-wide telephone survey of 750 New Zealanders 18 years and over) identified the value New Zealanders place on this dimension with the very great majority agreeing:

- *The health of New Zealand's farmed animals is important for New Zealand's clean green image (87%)*
- *Border controls for imported pork should remain the same to protect the health and welfare of New Zealand's pigs (80%)*

And disagreeing:

➤ *Lower pork prices for consumers are more important than protecting the health and welfare of New Zealand pigs (83%)*

- ***Has better farming practices than other countries***

Animal welfare and care for animals are very important to New Zealanders and to New Zealand pig farmers. New Zealand pig farmers operate to animal welfare standards that are far higher than most of the countries providing imports to New Zealand. Meeting such standards increases the cost of production for New Zealand pig farmers. Yet pig meat imports are not required to meet New Zealand's welfare standards so New Zealanders will be unaware of what animal welfare standards, practices and level of care was provided to those animals from which imported pig meat was produced.

New Zealand pig farmers have fully embraced the concept of providing well for the welfare of pigs in their care and communicating this to the New Zealand public, as New Zealand consumers have this expectation. Particularly over recent years the New Zealand industry and commercial farmers have invested heavily in raising animal welfare standards and farm presentation. To deliver an assurance that the welfare of New Zealand commercial pigs is well provided for, plus farms are appropriately presented as food production premises, the New Zealand pork industry has implemented an independently managed and verified animal welfare assurance programme PigCare™ that spans the commercial industry (refer [www.pigcare.co.nz](http://www.pigcare.co.nz)). Yet no questions are asked of, nor answers expected for, the animals' welfare standards for imported pig meat, nor for the standard of farms.

Another element of farming practice that is valued by New Zealanders is environmental sustainability. Yet pig meat is imported into New Zealand with no information on environmental practices.

### **3. Current status of regulation and CoOL in New Zealand**

#### **Food Standards Australia and New Zealand**

New Zealand's food labelling and most food safety requirements are set in the Australia New Zealand Food Standards Code which is developed by Food Standards Australia New Zealand (FSANZ), an independent statutory agency established under the Food Standards Australia New Zealand Act, 1991 (an Act of the Australian Commonwealth). Enforcement and interpretation of the Code within New Zealand is the responsibility of the Ministry for Primary Industries (MPI).

The objectives of FSANZ (section 18 of the FSANZ Act, 1991) are (in descending order of priority):

- (a) the protection of public health and safety; and
- (b) the provision of adequate information relating to food to enable consumers to make informed choices; and

- (c) the prevention of misleading or deceptive conduct.

Of note, the Code currently includes requirements for country of origin labelling of a range of food products including meat, fish, chicken, fruit, vegetables, as well as packaged fruit and vegetables and packaged food offered for retail sale. However, these requirements apply in Australia only, as New Zealand exercised its right to opt-out of the CoOL requirements within the Food Standards Code. This means that currently country of origin labelling of food in New Zealand remains voluntary.

Australia has introduced a new country of origin food labelling system under the Competition and Consumer Act 2010 (an Act of the Australian Commonwealth). The Country of Origin Food Labelling Information Standard 2016 (<https://www.legislation.gov.au/Details/F2017C00114> ) will require more comprehensive labelling information for consumers, including information about where food was grown or produced and the percentage of Australian ingredients contained in a product. The 2016 Standard is currently voluntary, but it will become mandatory for all Australian retail businesses to comply with on 1 July 2018. At that time, FSANZ Code will be amended to remove its country of origin labelling requirements.

While MPI has expressed the view (information updated in 2012) that CoO information is not required for food safety, the clear view of the majority of consumers is that CoO provides a short cut to determine the overall provenance and suitability of food.

### **Fair Trading Act 1986**

The Fair Trading Act has relevance to CoOL in that it requires that businesses must not mislead consumers. However our strong view is that provision of CoO labelling should be addressed in a transparent and proactive way, addressing consumers' identified needs, rather than via a retrospective requirement to identify and chastise companies / businesses for misleading and deceptive conduct.

Our view is that the current status quo unfortunately provides ample scope for people to be misled. Yet consumers are seeking trust and confidence in making food choices.

Because only a New Zealand supplier name is required on a retail pack of meat, the impression can be generated that the meat is grown in New Zealand. This means that a pre-frozen and thawed cut of imported pork meat can currently be presented in a retail cabinet with a 'supplier name' which may be that retail store. It can sit alongside New Zealand pork in the cabinet and absorb the New Zealand perception simply by positioning. Furthermore, for ham and bacon products, the term "made in New Zealand from imported and local ingredients" can be used by a New Zealand manufacturer and the pork component may be totally imported. This issue has been identified as misleading by the Commerce Commission and used as an example in its Fact Sheet: The Fair Trading Act Place of Origin Representations (February 2017).

It is due to the potential for at best, lack of clarity, and at worst, the opportunity to "hide" the country of origin of pig meat in products such as ham and bacon, that NZPork strongly supports the coverage of this Bill as presented viz. single component foods that may also

contain water, sugar or its substitutes, salt or other ingredients used in preserving, colouring or flavouring.

#### **4. All of NZ's top 10 trading partners require some form of CoOL for food**

NZ's top 10 trading partners (in order of total imports and exports for year ended June 2015) are Australia, China, EU, USA, Japan, Singapore, South Korea, Malaysia, Thailand and Taiwan. All of those countries have some form of CoOL, with the exception of Thailand, which only requires a product to display the address of the manufacturer and so may not be the same as the country of origin of the product.

New Zealand exports a considerable quantity of food products to these 10 countries and has to comply with the country of origin labelling requirements in those countries. For most foods exported by New Zealand it is in New Zealand's interests to identify those foods as originating from New Zealand. It is hard to see the sense or justification for refusing consumer demands in New Zealand to require similar country of origin labelling here in New Zealand.

Further, the CoOL requirements in NZ's top 10 trading partners usually apply far more broadly than the Bill proposes, as they require CoOL for many packaged foods and foods with multiple ingredients.

The CoOL requirements of NZ's top 10 trading partners are summarised in Appendix 2 attached to this submission.

#### **5. CoOL is not a breach of WTO obligations: the US CoOL requirements for beef and pork that were found by the WTO to be a breach of the GATT 1994 were particular to the US labelling rules and could not happen in NZ**

The GATT 1994 does not specifically provide for CoOL, but it does expressly contemplate labelling requirements being applied to products in the Agreement on Technical Barriers to Trade ("the TBT"), an Annex to the GATT 1994. The TBT applies to a "technical regulation" and defines this in clause 1 of Annex 1 to the TBT as a:

*"document which lays down product characteristics or their related processes and production methods, ... . It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method."*

The TBT imposes a number of obligations on countries in respect of technical regulations. For example, article 2.1 of the TBT requires members to ensure that imported products are treated no less favourably than the same products that are local.

As noted above, all of NZ's top 10 trading partners have some form of CoOL requirement for food, but there is only one case NZPork is aware of that has involved a CoOL requirement being found to be in breach of the TBT, and that involved the US CoOL requirements for beef and pork.

### **Summary of the WTO decisions that US CoOL rules for beef and pork were inconsistent with article 2.1 of the TBT**

The US CoOL rules for beef and pork that were found by the WTO to be inconsistent with the TBT were unique to circumstances facing the US beef and pork industries and could not happen here in NZ. The WTO decisions are available at:

[https://www.wto.org/english/tratop\\_e/dispu\\_e/cases\\_e/ds386\\_e.htm](https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds386_e.htm)

The US CoOL rules for beef and pork had to deal with imports of beef and pig *livestock* from both Mexico and Canada and required processors in the US to identify where each of the following production steps occurred: where the animals were born, where the animals were raised, and where the animals were slaughtered.

Given the quantity of livestock imported into the US comprises only a small proportion of the total livestock slaughtered in the US (less than 5% for beef and 10% for pork) the response of processors in the US to the labelling requirements was to segregate the processing of imported and domestic livestock. This segregation of the processing of imported and domestic livestock, which was accepted by all involved as the only practicable way to ensure the origins of imported livestock could be accurately identified throughout the slaughter and processing stages, had the following results:

- higher processing costs that were passed back to importers of livestock in the form of a price per head of livestock that was \$US40-60 lower than for domestic livestock;
- less favourable terms of trade being offered to importers of livestock;
- fewer processors accepting imported livestock;
- processors that were accepting imported livestock were doing so only at limited times;
- processors refusing to accept imported livestock.

It was these consequences that led the WTO Panels to conclude that the US CoOL rules for beef and pork had a detrimental impact on the competitive opportunities of imported livestock, and were an arbitrary and unjustifiable discrimination against imported livestock and could not be said to be applied in an even handed manner.

The WTO Panels were also influenced by the fact that the burden of the labelling requirements was quite disproportionate to the benefits provided to consumers. This was because while processors had to retain CoO information for all livestock and product, the extensive exemptions for CoOL meant little of this information collected by processors was made available to consumers: between 57-66% of beef and 83-84% of pork consumed in the US was exempt from the CoOL requirements. (Exemptions existed for all food service establishments that included restaurants, cafes, take away food places, any ingredients in a



processed food item that involved cooking, curing, smoking or restructuring, and any retailer selling less than \$US230,000 of meat per year.)

The US CoOL rules for beef and pork were repealed in December 2015 by the US Congress and Senate. However, the US CoOL requirements remain in place for muscle cuts of lamb and venison, meat produced from goats, ground lamb and ground venison, chicken, farm-raised fish, wild fish, any perishable agricultural commodity (which means fresh fruits and fresh vegetables, whether or not frozen or packed in ice, and includes cherries in brine), peanuts, ginseng, pecans, and macadamia nuts.

The US CoOL rules for beef and pork that were found to contravene the TBT were unique to circumstances facing the US and could not happen in NZ:

- livestock are not imported into New Zealand for slaughter and then retail;
- there will consequently be no need for processors to obtain information on where livestock were born, raised or slaughtered – the only requirement will be that the country of origin of meat imported into NZ is known. Under the definition of “country of origin” in clause 4 of the Bill this will be the country where the animals were “grown” or “produced”, which means the country where the animals were raised;
- pig meat imported into NZ will generally arrive as frozen primals or as fresh cuts that are less than 3kg portions – these primals and portions will be purchased by supermarkets/ wholesalers/ processors and retailers who will know the quantity and origin of the meat they are purchasing;
- supermarkets/ wholesalers/ processors and retailers who purchase imported pig meat for retail sale will know the origin of that pig meat and be able to label it accordingly without the need for any additional labelling rules or regulations;
- a few supermarkets/ wholesalers/ processors and retailers who purchase imported pig meat might mix that imported pig meat with local pig meat to create ground pig meat (pork mince), sausages or salami etc, but will know the dual country of origin of that product and be able to label it accordingly, for example as “Made with local and imported ingredients from Mexico”.

NZPork’s view is that the Bill is consistent with New Zealand’s WTO obligations and there is no basis for suggesting that the Bill could result in a successful complaint by another WTO member about New Zealand’s proposed CoOL requirements.

## **6. Regulatory Impact Statement is still required**

As this is a private member’s Bill its passage to Select Committee stage has not been accompanied by a regulatory impact analysis as is routinely the case for Government introduced Bills. This is an important step for good regulatory practice and we recommend that the Primary Production Select Committee obtain such an analysis.

Importantly this analysis requires a neutral framework to assess the benefits and costs, including compliance costs, that is unaffected by views that disagree with mandatory CoOL. Additionally an implementation programme is required.

NZPork's view, based on our preliminary investigations, is that for pork and pork products as proposed, supermarkets/ wholesalers/ processors and retailers will be able to adjust to comply with the CoOL requirements without too much difficulty as they will know the origin of imported pig meat and be able to label their products for retail sale accordingly. While an adjustment to labelling practices will be required in some instances, this one-off adjustment will be a similar investment to any other labelling change.

## **7. About NZPork**

NZPork (the operating name of the New Zealand Pork Industry Board) is a producer body which is funded by statutory levy, and whose statutory purpose is to act in the interests of New Zealand pig farmers within the broader framework of contributing to the New Zealand economy.

### **Background on the New Zealand pork industry**

The New Zealand pig industry is a highly productive and high health specialised livestock sector. Compared to the dairy, beef and sheep sectors, pig farming is a 'niche' sector in New Zealand. Pig meat production is concentrated on a very small number of farms: as at 2017, there are around 100 commercial farms in New Zealand, with a commercial sow herd of around 28,000. It is a very resilient sector within the New Zealand farming landscape, existing without any government support at any time. Pig farming is well integrated within New Zealand's primary production economic base, and a number of pig farms operate as a component of a larger multi-species farming business.

Pig farming as a sector provides a significant contribution to the rural economy and society. Currently farmgate is \$165 - \$185 million per annum. In addition are the upstream and downstream industries including feed production, and farm supplies spanning equipment, building materials, animal health products and services, transport. Post the farm services required are live animal transport, slaughter facilities and capability and further processing. An estimated 300 persons are employed on New Zealand pig farms to specifically care for pigs as stockpersons (there are additional support services such as maintenance staff and drivers). They and their families contribute to local rural communities.

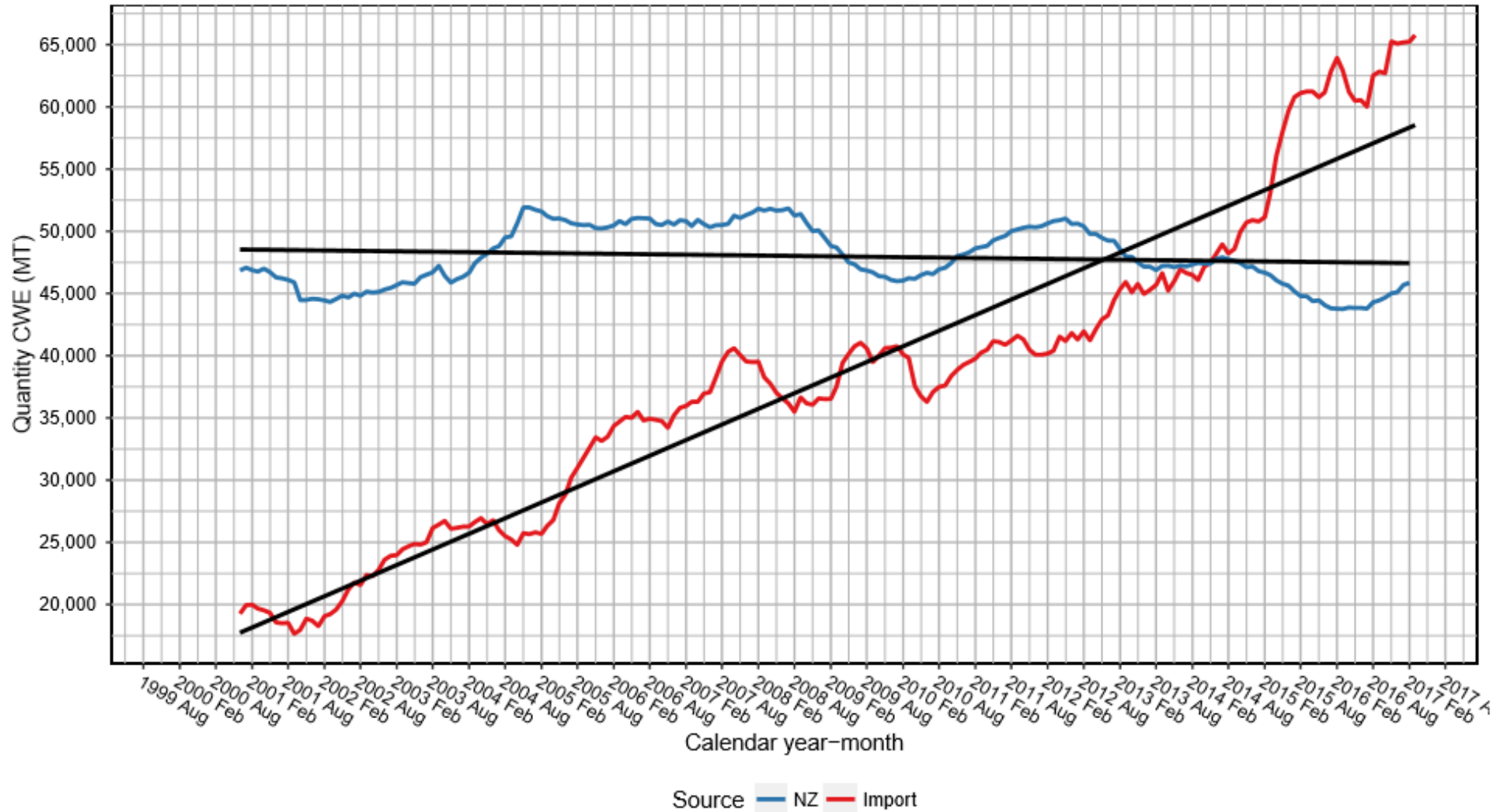
The New Zealand pork producing industry is very small in international terms, contributing less than 0.1% of international production, and its focus is totally on providing pig meat for New Zealand consumers.

New Zealanders' consumption of pig meat has increased over recent years and is now around 22.6 kgs / capita. But notably New Zealand's production has contracted over the last 5 years in terms of numbers of pigs killed although tonnage of pig meat produced has not contracted to the same extent due to the industry's increasing productivity. Currently New

Zealand pig farmers produce around 45,350 tonnes of pig meat per year which is around 42% of total per capita consumption, with the remaining 58% of pig meat consumed by New Zealanders being imported from a range of countries.

## Appendix 1 – New Zealand produced and imported pork supply

NZ-produced and Imported Pork Supply per Year (based on sum of previous 12 months)



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Australia	10,837	9,400	6,359	5,835	3,932	4,647	4,369	4,164	3,337	2,336	617
Belgium	0	0	0	0	0	0	0	291	1,137	1,553	235
Brazil	0	0	3	0	1	5	0	3	2	0	0
Bulgaria	0	0	0	0	1	0	0	0	1	0	0
Canada	9,147	7,580	10,508	9,363	9,016	6,612	8,554	7,619	10,667	9,069	2,746
China, People's Republic of	42	35	33	37	51	31	58	47	85	80	9
Croatia	0	1	0	1	1	1	1	1	1	1	1
Denmark	836	269	1,346	2,790	3,174	4,090	4,384	7,285	6,638	3,271	721
Estonia	0	0	0	0	0	0	0	0	0	24	48
Finland	1,904	3,181	4,301	4,530	5,061	5,583	6,060	6,153	7,501	7,975	1,421
France	1	1	1	1	1	1	25	1	2	267	2
Germany	25	1	1	1	1	117	428	768	1,726	2,009	145
Hong Kong (Special Administrative Region)	1	1	1	1	2	1	1	1	1	1	1
Ireland	2	0	0	0	0	0	0	171	297	613	165
Italy	18	28	25	30	36	52	71	69	97	99	50
Japan	0	0	0	0	0	1	0	1	1	0	0
Korea, Republic of	2	1	3	1	4	3	6	9	6	27	2
Malaysia	1	0	0	0	1	0	0	0	0	0	0
Mexico	0	0	0	0	1	0	0	0	0	0	0
Netherlands	1	2	2	1	50	2	1	98	350	422	543
New Caledonia	0	0	0	0	0	0	0	0	0	0	0
New Zealand	0	0	0	0	0	0	0	0	1	0	0
Peru	0	0	0	0	0	0	0	0	23	23	0
Philippines	1	1	1	1	1	0	0	0	1	2	0
Poland	0	0	0	0	2	0	0	0	178	457	300
Russia	0	0	0	1	0	0	0	0	0	0	0
Singapore	0	0	0	0	0	0	0	2	1	0	1
South Africa	0	0	0	0	0	0	0	0	0	0	0
Spain	3	4	3	7	9	10	17	1,277	6,109	12,223	2,785
Sweden	1,049	168	457	730	1,760	2,521	2,825	3,131	2,145	1,718	661
Syria	0	0	0	0	1	0	0	0	0	0	0
Taiwan	3	5	3	5	5	6	6	5	8	8	3
Thailand	4	3	2	3	2	2	3	3	2	2	1
Ukraine	0	0	0	0	0	0	0	0	0	24	0
United Kingdom	1	1	1	6	5	5	4	4	5	121	2
United States of America	4,780	5,702	6,489	5,416	6,283	8,052	7,850	6,410	4,689	5,284	1,218
Vanuatu	0	0	0	0	0	0	0	0	0	0	1
Viet Nam	0	0	0	0	0	1	1	0	0	1	1

Table 4: Historical pattern of pork import activity into New Zealand. Numbers represent the metric tonnes (MT) of pork that was imported from each country each year. Current year is 'year-to-date'. Values are rounded up to the nearest one MT.

## Appendix 2 – The CoOL requirements of NZ’s top 10 trading partners

**1. Australia** – the current CoOL requirements in force in Australia are described in the above submission under the heading “Food Standards Australia and New Zealand”.

**2. Peoples Republic of China** – Labelling and marking requirements are mostly made by different industry authorities, although some requirements apply to all products imported into China. For example, the Food Safety Law, which came into effect on 01 June 2009, requires imported pre-packed food to have labels and instructions in Chinese, including the place of origin as well as the name, address and contact information of the domestic agent. The Food Labeling Standards of China require imported foods to have clear markings that indicate the country of origin, in addition to the name and address of the general distributor registered in the country (see generally, <https://www.export.gov/article?id=China-Labeling-Marking-Requirements> ).

**3. European Union** – There is a general requirement for food sold to consumers in the EU that the country of origin should be provided where the absence of such information is likely to be misleading to consumers (article 26(2) of Regulation (EU) No 1169/2011 on the provision of food information to consumers, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32011R1169> ). Therefore, for example, because of the past history of BSE (bovine spongiform encephalopathy) in member states, country of origin information is required for beef (Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products, <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1494807525586&uri=CELEX:32000R1760> ). Country of origin information is also required for pork, chicken, lamb and goat meat (article 26(2) of Regulation (EU) No 1169/2011, above) and the specific labelling requirements are set out in Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry, <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1494807886137&uri=CELEX:32013R1337> ). To use a single country of origin label an animal must have been born, reared and slaughtered in that Member State or third country, otherwise the label must show the country where the animal was raised and the country where the animal was slaughtered.

There are also specific country of origin information requirements for honey (Council Directive 2001/110/EC relating to honey), fruit and vegetables (Commission Regulation (EC) No 1580/2007 laying down implementing rules of Council Regulations in the fruit and vegetable sector), fish (Council Regulation (EC) No 104/2000 on the common organisation of the markets in fishery and aquaculture products), and olive oil (Commission Regulation (EC) No 1019/2002 on marketing standards for olive oil).

Where the country of origin of a food is given and it is not the same as that of its primary ingredient, the country of origin of the primary ingredient must also be given (article 26(3) of Regulation (EU) No 1169/2011, as above).

**4. United States of America** – The Farm Security and Rural Investment Act 2002 (US) (amending the Agricultural Marketing Act 1946) (<https://www.congress.gov/bill/107th-congress/house-bill/2646>) introduced mandatory country of origin labelling requirements for :

- muscle cuts of beef, pork, lamb and venison
- ground beef, ground pork, ground lamb and ground venison
- farm-raised fish
- wild fish
- a perishable agricultural commodity (which means fresh fruits and fresh vegetables, whether or not frozen or packed in ice, and includes cherries in brine)
- peanuts
- meat produced from goats
- ginseng
- pecans
- macadamia nuts

The Food, Conservation and Energy Act of 2008 (US) (through further amendments to the Agricultural Marketing Act 1946) (<https://www.congress.gov/bill/110th-congress/house-bill/6124>) added chicken to the list of covered commodities, and added various rules for determining the origin of meat where animals from more than one country are involved in the meat production process. The country of origin labelling requirements came into force after the necessary rules had been issued on 16 March 2009. In response to successful complaints by Canada and Mexico to the WTO about the US country of origin labelling requirements for beef and pork, the Country of Origin Labeling Amendments Act 2015 (US), on 18 December 2015, repealed all references to “beef” and “pork” from the Agricultural Marketing Act 1946. The US country of origin labelling requirements remain in force for the commodities listed above, but not for beef or pork, (7 U.S.C. 1638, <http://uscode.house.gov/view.xhtml?path=/prelim@title7/chapter38/subchapter4&edition=prelim>).

**5. Japan** – There are country of origin labelling requirements in Japan (<http://www.caa.go.jp/en/index.html>) for the following products:

- salted, unsalted, dried, boiled, steamed, seasoned or slightly roasted fish, shellfish, seaweed
- grilled eel, shavings of dried skipjack
- tangle, dried laver, roasted laver and other dried seaweeds
- mushrooms, vegetables, fruits, peanuts, beans, pickles, green tea, rice cake
- ground meat, slightly roasted meat, seasoned meat (excluding meat processed by heating, or frozen after processed)
- boiled or steamed poultry, meat and eggs

**6. Singapore** – All imported and locally manufactured pre-packed food for sale must be labelled with the source of the food in accordance with the requirements of the Singapore Food Regulations (<http://www.ava.gov.sg/explore-by-sections/food/labelling-packaging-information/labelling-guidelines-for-food-importers-manufacturers> ).

**7. Republic of Korea** – Most imported products are subject to country of origin labelling requirements including agricultural and fishery products, food items, clothes, bags, electronics, and games (article 33 of the Foreign Trade Act, [http://english.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT\\_ID\\_000001342&layoutMenuNo=21063](http://english.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001342&layoutMenuNo=21063) ).

**8. Malaysia** – All imported food is required to display the country of origin of the food (<http://agritrade.iift.ac.in/html/Training/Market%20study/Malaysia.pdf> ).

**9. Thailand** – All imported food products are required to display the name and address of the manufacturer of the product. The requirement is similar to a country of origin labelling requirement but will not always produce the same information where the address of the manufacturer is not actually the country of origin of the product (<https://www.export.gov/article?id=Thailand-labeling-marking-requirements> ).

**10. Taiwan** – Taiwan's Commodity Labeling Act requires that when an imported commodity is introduced for sale in the domestic market, it must be labelled with the place of origin of the commodity

(<http://www.trade.gov/td/standards/markets/East%20Asia%20Pacific/Taiwan/Taiwan.pdf> ).

All food products including fresh produce, meat and processed foods sold in bulk packaging at retail markets must indicate the country of origin. All food vendors, e.g. restaurants, fast food outlets, stalls and carts, must also identify the country of origin of any beef or beef offal

([https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative Taipei Taiwan 12-10-2015.pdf](https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative%20Taipei%20Taiwan%2012-10-2015.pdf) ).